

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
Norfolk Division

TLC/HEALTHCARE FINANCE,

Plaintiff,

v.

ACTION NO. 2:09cv239

DANA L. CALE, M.D., P.C., and
DANA L. CALE, M.D., individually,

Defendants.

FINAL ORDER

This matter comes before the court on the Motion for Default Judgment, filed by TLC/Healthcare Finance on June 18, 2009. The matter was referred to a United States Magistrate Judge by order of July 28, 2009, pursuant to 28 U.S.C. § 636(b)(1)(B) and (C) and Federal Rule of Civil Procedure 72(b), to conduct hearings, including any necessary evidentiary hearings, and to submit to the undersigned proposed findings of fact, if applicable, and recommendations for the disposition of the case.

An evidentiary hearing on TLC/Healthcare Finance's motion for default judgment was held on September 17, 2009. The United States Magistrate Judge's Report and Recommendation was filed on October 26, 2009. The Magistrate Judge recommended that: (1) TLC/Healthcare Finance's motion for default judgment be **GRANTED**; (2) default judgment be entered against Dana L. Cale, M.C., P.C., and Dana L. Cale, M.C., individually, in the amount of \$147,278.18, which represents the balance due on the contract, interest,


attorney's fees, and costs; and (3) the plaintiff be permitted to immediately repossesses the leased equipment.

By copy of the United States Magistrate Judge's Report and Recommendation, the parties were advised of their right to file any written objections. The court has received no objections to the Report and Recommendation, and the deadline has passed for filing these objections. Accordingly, the court hereby adopts and approves in full the findings and recommendations set forth in the United States Magistrate Judge's Report and Recommendation, filed October 26, 2009.

The court **ORDERS** as follows:

1. TLC/Healthcare Finance's motion for default judgment is **GRANTED**.
2. Judgment is entered against the defendants in the amount of \$147,278.18, which represents the balance due on the contract, interest, attorney's fees, and costs.
3. The plaintiff is permitted to immediately repossess the leased equipment.

The Clerk shall forward a copy of this Final Order to all parties of record.

/s/
Rebecca Beach Smith
United States District Judge 

REBECCA BEACH SMITH
UNITED STATES DISTRICT JUDGE

Norfolk, Virginia
November 25, 2009